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FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

JAN 31 2003

OFFICE OF
MANAGING DIRECTOR

Mr. Don Poulos
5051 Southampton Drive
Anchorage, Alaska 99503

Re: PBMR Application Fee Refund
Fee Control No.: 0108078245189009

Dear Mr. Poulos:

This is in response to your request for a full refund of the \$165.00 in fees that you submitted with your Application for Renewal of Private Radio License on August 3, 2002. You state that after your first attempt to renew this license on July 17, 2001 by paying a \$130.00 fee, the Federal Communications Commission (FCC) returned the \$130.00 to you and instructed you to resubmit the application with a fee of \$165.00. You state that the FCC then denied your application because your license expired on April 10, 2001, and your application was not received by the Commission within the 30 day reinstatement period. Subsequently, the FCC refunded you \$70.00, the portion of your payment attributable to the annual regulatory fee, but did not refund the \$95.00, the portion of your payment which was the application fee.

It is the responsibility of the licensee to understand its obligations under applicable FCC rules. Section 1.1108 of the Commission's rules provides that application fees "will not be refundable to the applicant irrespective of the Commission's disposition of that request. Return or refund of charges will be made in certain limited instances as set out in [Section 1.1113]." 47 CFR Section 1.1108. None of the circumstances in Section 1.1113 are applicable here, except for subpart 2, which provides that the full amount of the application fee will be refunded "[w]hen the fee processing staff ... determines that an insufficient fee has been submitted within 30 calendar days of receipt of the application or filing and the application or filing is dismissed." 47 CFR Section 1.1113(2).

Mr. Don Poulos

2.

On July 17, 2001, you filed an application for renewal of your private radio station license with a fee of \$130.00. Shortly thereafter, you received a notice stating that your application was "unprocessable," that is to say that it was not reviewed, because the fee processing staff determined that you had not paid a sufficient fee. Pursuant to 47 CFR Section 1.1113(2), your fee was returned and the fee processing staff notified you that the appropriate fee for your application was \$165.00. After you sent in the appropriate fee with your license application, your application was reviewed on the merits and dismissed without prejudice, pursuant to 47 CFR 1.934, because your license expired on April 10, 2001 and your application for renewal was not received by the Commission within the 30 day reinstatement period. As stated above, the Commission's rules provide that the part of your payment attributable to the application fee (\$95.00) is not refundable, except in limited situations that are not applicable here. Accordingly, we are not able to refund the \$95.00 part of your payment attributable to the application fee.

If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Reger", written over a horizontal line.

Mark A. Reger
Chief Financial Officer

G'burg

0108078245189009

Don Poulos
5051 Southampton Drive
Anchorage, Alaska 99503
907-522-9048

REC OCT 10 10 3 10

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

October 3, 2002

Federal Communications Commission
445 12th St. SW Room 1A625
Washington DC 20554

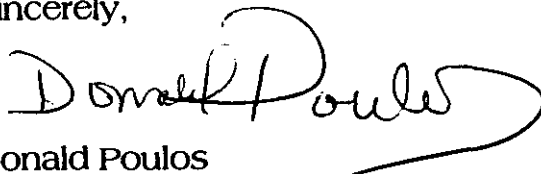
ATTN: Mr. Tom Putnam,

I am requesting the remainder of my refund of \$165.00.

Enclosed are copies of my correspondence as of today's date. I received a \$70.00 check in February of 2001. Cindy with the ULS hotline told me the remaining \$95.00 was application fees and wasn't going to be refunded. I should have been informed after my first attempt to renew that I should not send in my application because it was going to be denied since I was sending it in late. Instead I was informed to send in the proper amount and resubmit. Which I did, then was told I couldn't renew because it was late and now that I had filed, I couldn't get \$95.00 back for application fees. Obviously, I would have never sent in a renewal application if informed I would have to file for a new call sign.

Your time reviewing this matter is greatly appreciated.

Sincerely,



Donald Poulos
S.S. # 574-46-2879

RECEIVED OCT 10 2002